

February 23, 1981

LB 34

SENATOR KILGARIN: I move the E & R amendment to LB 34.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. Motion is carried. The amendment is adopted.

CLERK: Mr. President, I now have an amendment from Senator Wesely and it is found on page 586 of the Legislative Journal.

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Mr. Speaker, members of the Legislature, as I recall, LB 34 dealt with a number of issues concerning bidding statutes as they apply to power districts. We had an amendment which we adopted on General File offered by Senator Vickers which dealt with a number of concerns the power districts had on those restrictions that were placed by LB 34 in the original draft of the bill. We found, however, that the Vickers' amendment was not complete in its drafting and I sat down with representatives from the Nebraska Public Power District and with the staff from the Public Works Committee and we tried to get the wording properly drafted so that we would be sure of what we were accomplishing with this legislation. The result is the amendment which is found on page 586 of the Journal. It is an amendment agreed to by the Nebraska Public Power District, by the unions that were concerned in Nebraska about this loophole in our bidding statutes and I think that it is a compromise that I think deals with the issue in a fair way. Essentially what we would provide for is that reconstruction, remodeling, maintenance, repair would all still be covered under the bidding statutes through this bill that haven't before been covered but we do provide for when cases come up, the rare and exceptional cases, hopefully very, very, few of them would come up where they just did not feel they could come together in terms of drafting a contract proposal that would be a wise one to let out for bid. They could under those extreme circumstances with an engineer's assessment provided to the boards, then a two-thirds vote of the board would have to be required before they would be allowed to begin negotiation instead of bidding for these contracts, and even then, even then, if they would decide that they couldn't let this repair or maintenance contract out for bid, they would still have to advertise in daily newspapers and trade journals the fact that they were going to negotiate for this contract so everyone would be aware of the fact that this was available and could then contact the power district involved and offer an opportunity to negotiate a contract with them. I think this is a fair system because we would encourage, and I think almost in all cases we would have bidding on these repair-maintenance contracts where we have